

**General Plan 2020
Interest Group Committee Meeting Minutes
May 13, 2003**

Interest Group Committee:

Al Stehly	Farm Bureau
Bruce Tabb	Environmental Development
Carolyn Chase	SD Coalition for Transportation Choices
Dan Silver	Endangered Habitats League
Dave Shibley	Save Our Land Values
Diane Coombs	Citizen Coordinate for Century 3
Eric Bowlby	Sierra Club
Greg Lambron	Helix Land Company
Jim Whalen	Alliance for Habitat Conservation
Lee Vance	Building Industry Association
Liz Higgins	SD Association of Realtors
Lynne Baker	Buena Vista Audubon Society
Mike Thometz	Back Country Coalition
Phil Pryde	SD Audubon Society
Richard Nowicki	American Institute of Architects

Public at Large:

Almeda Starkey	
Brent McDonald	Caltrans
Carol Leone	
Charlene Ayers	
Devore Smith	Sierra Club
Eric Larson	Farm Bureau
Lyn Harris Hicks	DeLuz
Mary Allison	USDRIC/EDPDA
Paul B. Etzel	SDSU/Astronomy Dept.
Paul Ulrich	CrestView Properties
Ron Pennock	ECCC
Todd Galarneau	McMillin Companies

County Staff:

Karen Scarborough (DPLU, group facilitator)
Ivan Holler (DPLU)
LeAnn Carmichael (DPLU)
Michelle Yip (DPLU)
Tom Harron (County Counsel)

Non-Agenda Item –

a) Upcoming Board of Supervisors Hearing

- Holler mentioned that the staff report is very similar to the one that went to the PC; it does have a couple of different actions but the primary actions are very similar. The referrals that came out of the Planning Commission hearings are attached and we are asking that the Board direct us to evaluate those. GP2020 is the only item on the agenda for that day. For those communities that we do not get through and we are anticipating not getting through all the communities on the 21st, this item will be continued then on June 11th. Unlike the PC, the Board requires speakers slips be turned in by 9 am, even if you do not anticipate being able to testify until the afternoon.
- Scarborough reaffirmed what will be presented to the Board. Plans on reiterating the set of motions we took before the Planning Commission saying that it is a package, identifying the six pieces – the goals and policies (confirming that they were all not unanimous votes), the framework and categories, the map, equity mechanisms, standards, and legislative intent are all of the elements and we see it as a complete package. Also, the group intends to continue to contribute until the package is there but we support moving on and progressing as we have been to date.
- Bowlby mentioned again that some of the goals and policies votes passed with narrow margins. Scarborough stated that she had already mentioned that this concern will be conveyed to the Board on Wednesday. Bowlby mentioned that the Sierra Club has submitted a letter spelling out the kind of refinements they would like to see on the map. Scarborough replied that the group will convene to look at the map refinements and staff will be asking for the group's opinion on the refinements.
- Shibley stated that he has aversions because equity mechanisms have not been discussed.

Agenda Item I: Logistics –

a) Minutes for March 25, 2003

- Bowlby moved to approve. Stehly seconded the motion. Motion approved.

Agenda Item II: Open Space Subdivision –

- Holler mentioned that there has been discussion on trying to develop an open space subdivision type of concept for use in the county and there have been earlier iterations of the open space subdivision matrix. A minimum lot size is being discussed here. In addition, there is a column for a maximum footprint (a development footprint) and there are some inclusions and exclusions based on that size, e.g. fire clearing is included in one and not the other. The maximum footprint is really for development purposes. There are other uses that can occur in the open space which are itemized and essentially this is built around the open space percentages that would be required as part of the subdivision. The concept of decoupling the relationship that exists now with lot size and density would make this possible now as you could reduce the lot size and configure your subdivision in a more well designed fashion, to be able to end up with an open space percentage as part of that project. Holler mentioned that a previous iteration had a column for sewer vs. septic which was essentially influenced by lot size and did not really serve a specific purpose.
- Coombs asked if there was a maximum lot size as proposed in previous iterations. Holler replied that the maximum lot size was eliminated because it was redundant with the open space percentage. Tabb stated that he agreed with the concept but thinks we need a maximum lot size and therefore, should be discussed further.
- Coombs mentioned that the open space requirements seems to have been lowered since the last iteration, particularly on 1 du/2 ac and 1 du/4 ac.
- Bowlby asked if there will be an alternative subdivision standard. Scarborough replied that ultimately, there would be specific circumstances that would need to be defined for that need but this would be the way of doing business. Holler agreed, adding that there would be a couple of exceptions to this.

Primarily it would be in areas where the development pattern has been developed exclusively on the 2-acre lot and property that is surrounded on all sides by that type of development pattern.

- Vance believes that there is an open space subdivision already existing in government code and therefore it is a mistake to call this an open space subdivision; feels the word clustering should be used. Pointed out that none of this would apply if you do a standard subdivision, even if you choose to cluster. Holler replied that that is the distinction. You would have to do a rezone for clustering because you are asking to go lower than the lot size zoning requires. This is utilizing the decoupled relationship, setting up a dual relationship that allows greater flexibility.
- Vance stated that these open space percentages, as requirements of the zoning ordinance, would be subject to CEQA, which would likely have open space requirements. Holler replied that there would be at least one or two policies in the general plan that would speak to this. A policy level statement would be clustering is encouraged provided it does not allow for an increase in planned densities. Scarborough added that there are still some discrepancies between the Interest Group and Steering Committee goals and policies.
- Lambron asked how this would be applied and whether it will be allowed by right. Holler replied that it has been primarily discussed for TMs and that it would be allowed by right.
- Bowlby asked why there would not be a higher percentage of open space if you have sewer in the 1 du/ac and 1 du/2 ac. Silver responded that in a previous iteration the percent open space was based on no sewer. The thought was the door would be left open to builders proposing smaller lots and more open space but that would be a voluntary range. The intent would be, this is your baseline, this is your worst-case scenario, and it gets better if the developer is able to bring in sewer.
- Bowlby asked about the difference between brush management and brush clearing. Holler replied that they are intended to be the same thing and one word should have been used. Mentioned the footnotes only apply to the SR-10 and rural lands areas and therefore, needs to be updated. Bowlby asked under what circumstances would brush management need to be increased even if it was in the rural and whether it could be added to the note. Holler replied that it would only be increased if it is required.
- Baker argued in favor of a maximum lot size. Argued that if you already have a pattern of development of 2-acre lots, you would even need more open space that is not on people's lawns. Stated for the record that in some cases, septic out in Borrego and Desert requires a very small lot size and their septic might use less energy and may be more efficient than sewer so it may be more advantageous than sewer. Also mentioned that when people buy large acreages, they generally expect to pay for irrigation for only a third of an acre so there are reasons to have a max lot size that fits with our overall goals in terms of how much we want to spend on water going out in the county for irrigation.
- Shibley stated that open space percentages are being specified but the open space may not mean anything as there may not be habitat on it. Sees this as a way to satisfy environmental concerns by reducing the amount of available area and density and thinks it is redundant.
- Silver stated that this should be applied to all subdivisions, including parcel maps as the new way of doing business. The reason the group has been discussing an open space subdivision was because the development interests wanted to get rid of the yield reductions and the floodplain reductions the Steering Committee had adopted. So the idea was that maybe those could go away if there was a real trade off, if the community got permanent open space. Thinks we need a maximum lot size or state this open space is a contiguous large block of open space in a separate lot. Also wanted to retain the sewer vs. septic column. Proposed the following: have two open space percentages, the first one is your baseline or worst-case scenario and the second one, which is a higher bar, may correspond to when you are able to bring sewer in and do something effective. It is at that higher bar for open space that your yield reduction goes away; they do not go away unless you do something worth doing. That is the basic concept. The first open space percentage sets the floor, it does not get any worse but you have to do it; there are no exceptions. Yield reductions apply to the first percentage but not the second one. So this is an alternative way of structuring it so you do not have the distinction of septic and sewer in two columns.
- Higgins stated that parcel maps do not count as subdivisions and did not want this to be mandatory in the subdivision process for parcel maps.
- Whalen stated that the Alliance is opposed to anything mandatory and thinks the open space percentages are too high, especially in the rural lands. Mentioned concern over the last bullet (*If the development footprint results in more open space than required, ½ of the excess will be dedicated open space and ½ will be treated as a remainder parcel*). Thinks the potential uses in the open space is too

short and should include equestrian facilities, project greenspace and landscaping, fire roads, passive recreational uses, golf courses, sewer lines, and gas and electric water lines and pumping stations (things that are part but near the development). Agrees with Silver's concept of one large, contiguous open space.

- Vance mentioned that there are other requirements for open space right now in terms of percentages, like the PRD ordinance, which requires 40% open space. Scarborough stated that by default, the open space subdivision needs to be consistent with the zoning ordinance.
- Bowlby asked about the permanence of the open space uses and whether it would be understood that this is a portion of the property that will not be developed and would have certain layers of protection. Also asked about the circumstances that would result in a remainder parcel. Silver replied when a developer exceeds a certain standard. A GPA would be required to change the density designation. Stehly mentioned that there are possibilities for remainder parcels, which is obvious by doing the math – at 1 du/ac, if you used 5,000 sq. ft. of 43,000 sq. ft, you have 38,000 sq. ft left and not all of that is open space. Take your 25% open space, which is 10,000 sq. ft. and the remainder is the difference between the lot and the open space. There are possibilities for remainder parcels but they are not developable in this round but are in the future. not developable until the next general plan update or through a GPA. There are possibilities for remainder parcels but they are not developable in this round but are in the future. Carmichael mentioned that we have not really discussed the uses for the remainder parcel.
- Shibley mentioned his dislike for the open space percentages as we already have RPO guidelines, etc. Bowlby responded that currently, RPO has a yield reduction for steep slopes, which reduces the amount of units you get, and so, we are talking about removing that with the open space subdivision.

Agenda Item III: Process –

- Scarborough reiterated that she will be presenting to the Board a summary of where the group has been and the motion last made on the six elements of the package. Requested that each person give their personal opinion to the Board.
- Next meeting is May 27th and then June 17th.
- Chase stated that the circulation element should be listed at the top of the future agenda items.
- Whalen asked where the Steering Committee was in terms of policy issues. Holler replied that they discussed the open space subdivision and clustering, and recalls voting on a policy or a goal that said *clustering is allowed* instead of *encouraged*.
- Coombs asked about the statement of legislative intent that facilitates smart growth as none refer to existing communities and upzoning land and a statement for TDRs as requested by the group at a previous meeting.

Public Comments –

- Lynn Harris – Stated that the remainder parcel on a farm is not a wasteland but usually the heart of the farm. Stated there should be some mechanism in the plan to provide that the people who remain there, can have a piece of that land, if it meets the requirements set for the lot size.
- Todd Galarneau – Asked if the general plan land use map is going to recognize specific plans with an SPA designation. Holler replied that we will continue to recognize the designation shown on the general plan where there is an underlying map. Galarneau asked if a request was outside the context of the general plan update if it involved amending a land use designation of a specific plan area. Holler replied yes. Scarborough summarized that SPAs that are not vested will be removed from the map.